

HCS SS SB 869 -- CHILDREN

SPONSOR: Schmitt (Torpey)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on General Laws by a vote of 14 to 0.

This bill modifies laws relating to children. In its main provisions, the bill:

(1) Adds to the duties of the "Joint Committee on Child Abuse and Neglect" the task of making recommendations on how to improve abuse and neglect proceedings including examining the role of the judge, children's division, juvenile officer, guardian ad litem, and foster parents (Section 21.771, RSMo);

(2) Gives the Office of Administration the authority to file pleadings necessary to intervene on behalf of a child at the appropriate judicial level using the resources of the Office of the Attorney General (Section 37.710);

(3) Changes the laws regarding child care providers who receive state or federal funds for providing child care services in the home (Section 210.027);

(4) Changes the time frames regarding a child abuse or neglect investigation by the Children's Division within the Department of Social Services by amending the time frame for the Division as follows;

(a) Increases from 30 days to 45 days the time allowed for updating the information and completing the investigation except for good cause;

(b) If an investigation cannot be completed in 45 days, it must be completed no later than 90 days after receipt of a report, except in a case involving sexual abuse, the case must be completed no later than 120 days after receipt of the report; and

(c) In cases involving a child fatality or near-fatality the investigation must remain open until the Children's Division's investigation is completed surrounding the death or near-fatal injury;

(5) Defines good cause to mean when certain relevant evidence outside of the Children's Division's control as specified in the bill, such as medical or law enforcement tests, have not been completed or there is a pending criminal case and the issuing of a decision by the division will adversely impact the progress of the

criminal investigation (Sections 210.145, 210.152, and 210.183);

(6) Allows a judge to appoint a guardian ad litem to appear for and represent an abused or neglected child involved in the proceeding arising when an alleged perpetrator is aggrieved by the decision of the Child Abuse and Neglect Review Board (Section 210.160);

(7) Requires the Department of Public Safety to establish rules and make payments to SAFE CARE providers, out of appropriations made for that purpose, who provide forensic examinations of persons under 18 years old who are alleged victims of physical abuse; and

(8) Requires adoption subsidy agreements to include a provision allowing for the suspension or redirection of subsidy payments in the event that the child has been adjudicated dependent and made a ward of the court and removed from the physical or legal custody of the parent or parents by a court of competent jurisdiction (Sections 453.073 and 453.074).

PROPONENTS: Supporters say that this bill prohibits parents and guardians from receiving subsidies when they have been involved in abuse or neglect.

Testifying for the bill was Senator Schmitt.

OPPONENTS: There was no opposition voiced to the committee.